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April 18, 2016

The Honorable Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Chairman Wheeler,

I am writing in reference to the Notice of Inquiry on Promoting the Availability of Diverse and Independent Sources of Video Programming (MB Docket No. 16-41). I will outline the state of the marketplace for independent programming and the obstacles within this marketplace that hinder an independent network from gaining wider carriage distribution.

MAVTV Motorsports Network is a 24/7, high-definition cable television network that is independently owned and operated by Forrest Lucas. As of today, MAVTV is available to 27 million homes. The goal of ownership and the consensus of the industry is a cable network available to 40 million homes is in a position to not only be sustainable but to enhance and invest in its programming.

We are precisely the diverse and unique programming that has a niche Middle-America, low to middle-income audience and a loyal fan base. No other network offers 24/7 motorsports coverage. With so many cable networks available to the consumer, MVPD's are looking for programming that isn't already available on their channel line-up.

Our past and current carriage discussions with MVPD's leads to three primary responses:

- "We like the programming and the direction of the network."
- "Programming costs are out of control, and therefore, we cannot add to our already skyrocketing programming costs."
- "Bandwidth is at a premium, and we just don't have the channel capacity to add another network."

We offer the MVPD's and their customers a low-cost, flexible carriage niche network offering programming that is unique.



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The forced bundling and penetration requirements set upon by the large programming groups hinders the ability for an MVPD to offer an independent network like MAVTV. When the large programmers force their less desirable networks on the MVPD's, it not only takes up valuable bandwidth but those networks that are forced upon the MVPD's are not free causing the MVPD's programming costs go up as well.

Some large programmers are also large MVPDs. Although they will point out that they indeed offer and carry independent networks, the fact of the matter is most of those independent networks are carried on specialty tiers (costing the consumer more money) or not widely distributed (only available in certain markets). They will claim that this is a free market and that forced bundling is not an issue. I urge you to ask other MVPD's not tied to a large programming group if they feel the same.

With regards to MVPD's without cross-ownership of their own networks, MAVTV is designated to carriage on a specialty tier, costing the consumer more money, but with no license fee payment to MAVTV (not even \$0.01 per sub). So they will charge their customers an extra fee to buy the specialty tier, but will not pay the programmer a nominal fee to cover the cost of doing business. This is an unsustainable business model for any network, especially an independent network.

Although there are many issues and obstacles for our business, we urge the Commission to look closely into the forced bundling and penetration requirements of the large media conglomerates, as it directly affects independent and diverse programming.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert E. Patison". The signature is stylized with a large, sweeping "R" and "P".

Robert E. Patison
President, MAVTV Motorsports Network